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CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the below date: July 15, 2005 Name: Vincent J. Gnoffo, 44,714 Signature: Vincent J. Gnoffo

BRINKS  
HOFER  
GILSON  
& LIONE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Shoji Kurakake et al.

Appln. No.: 09/844,997

Filed: April 27, 2001

For: Method of Selecting a Network Access  
Measure from Multiple Access Measures

Attorney Docket No: 10745/14  
Client Ref. No. PA-012

Examiner: Ramy M. Osman  
Art Unit: 2157

Mail Stop Amendment  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

TRANSMITTAL

Sir:

Attached is/are:

- ☒ Transmittal Cover (1p. Filed in Dup.); Fifth Supplemental Information Disclosure Statement and PTO Form 1449 (3pp.); 3 Cited References
- ☒ Return Receipt Postcard

Fee calculation:

- ☒ No additional fee is required.
- ☐ Small Entity.
- ☐ An extension fee in an amount of \$\_\_\_\_\_ for a \_\_\_\_\_-month extension of time under 37 C.F.R. § 1.136(a).
- ☐ A petition or processing fee in an amount of \$\_\_\_\_\_ under 37 C.F.R. § 1.17(\_\_\_\_\_).
- ☐ An additional filing fee has been calculated as shown below:

					Small Entity			Not a Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	or	Rate	Add'l Fee
Total		Minus			x \$25=			x \$50=	
Indep.		Minus			x 100=			x \$200=	
First Presentation of Multiple Dep. Claim					+\$180=			+\$360=	
					Total	\$		Total	\$

Fee payment:

- ☐ A check in the amount of \$\_\_\_\_\_ is enclosed.
- ☐ Please charge Deposit Account No. 23-1925 in the amount of \$\_\_\_\_\_. A copy of this Transmittal is enclosed for this purpose.
- ☐ Payment by credit card in the amount of \$\_\_\_\_\_ (Form PTO-2038 is attached).
- ☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Date

July 15, 2005

Respectfully submitted,

Vincent J. Gnoffo  
Vincent J. Gnoffo (Reg. No. 44,714)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Shoji Kurakake ET AL.

Appln. No.: 09/844,997

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For: METHOD OF SELECTING A  
NETWORK ACCESS MEASURE  
FROM MULTIPLE ACCESS  
MEASURES

Attorney Docket No: 10745/14  
(Client Ref. No. PA-012)

Examiner: Ramy M. Osman

Art Unit: 2157

**FIFTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

In accordance with the duty of disclosure under 37 C.F.R. §1.56 and §§1.97-1.98, and more particularly in accordance with 37 C.F.R. §1.97(b), Applicants hereby cite the following reference(s):

FOREIGN PATENT DOCUMENTS		
DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	COUNTRY
JP 2001-061186 A	March 6, 2001	Japan
JP 11-298965 A	October 29, 1999	Japan
JP 10-164272 A	June 19, 1998	Japan

Applicants are enclosing Form PTO-1449 (one sheet), along with a copy of each listed reference for which a copy is required under 37 C.F.R. §1.98(a)(2). As each of the listed references is in English, no further commentary is believed to be necessary, 37 C.F.R. §1.98(a)(3). Applicants respectfully request the Examiner's consideration of the above reference(s) and entry thereof into the record of this application.

By submitting this Statement, Applicants are attempting to fully comply with the duty of candor and good faith mandated by 37 C.F.R. §1.56. As such, this Statement is not intended to constitute an admission that any of the enclosed references, or other information referred to therein, constitutes "prior art" or is otherwise "material to patentability," as that phrase is defined in 37 C.F.R. §1.56(a). Each item of information

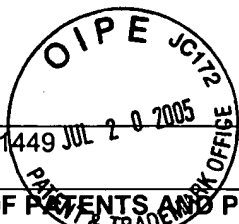
contained in this Statement was cited in a communication from a foreign patent office in a counterpart application.

Applicants have calculated no fee to be due in connection with the filing of this Statement. However, the Director is authorized to charge any fee deficiency associated with the filing of this Statement to a deposit account, as authorized in the Transmittal accompanying this Statement.

Respectfully submitted,

July 15, 2005  
Date

Vincent J. Gnoffo  
Vincent J. Gnoffo  
(Reg. No. 44,714)



FORM PTO-1449 JUL 20 2005	SERIAL NO. 09/844,997	CASE NO. 10745/14 Client Ref. No. PA-012
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT	FILING DATE April 27, 2001	GROUP ART UNIT 2175
(use several sheets if necessary)		APPLICANT(S): Shoji Kurakake et al.

# REFERENCE DESIGNATION U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	NAME	CLASS/ SUBCLASS	FILING DATE

# FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	COUNTRY	CLASS/ SUBCLASS	TRANSLATION YES OR NO
	F3 JP 2001-061186 A	March 6, 2001	Japan		Yes
	F2 JP 11-298965 A	October 29, 1999	Japan		Yes
	F1 JP 10-164272 A	June 19, 1998	Japan		Yes

EXAMINER INITIAL	OTHER ART (Including Author, Title, Date, Pertinent Pages, etc.)

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.